

Ryan P. Poscablo
+1 212 506 3921 direct
rposcablo@step toe.com

Step toe

1114 Avenue of the Americas
New York, NY 10036-7703
212 506 3900 main
www.step toe.com

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 10-12-23

October 11, 2023

Via ECF and E-Mail

Hon. Andrew L. Carter
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Barend Oberholzer*, 1:21-cr-00475-ALC

Dear Judge Carter:

I represent the defendant Barend Oberholzer in the above referenced case. Sentencing is scheduled for November 8, 2023, and I am respectfully requesting one additional adjournment to a date in either mid-December or January 2024, at the Court's convenience, due to a conflict.

Undersigned counsel, who has represented Mr. Oberholzer since the beginning of the case, has recently been engaged in *United States v. So*, 2:22-cr-00108-AB on behalf of defendant Brian So. Trial for this matter is scheduled and expected to begin on November 7, 2023 in the District Court for the Central District of California.

On March 30, 2023, the Court accepted Mr. Oberholzer's guilty plea to Count One of the Indictment, conspiracy to commit wire fraud & mail fraud and sentencing was scheduled for July 11, 2023. On May 22, 2023, the Court adjourned sentencing to September 14, 2023 to allow the Probation Department to complete its Pre-Sentence Interview and Report. On August 17, 2023, at the request of the defendant, sentencing was adjourned to November 8, 2023 to allow for recently promulgated amendments to the United States Sentencing Guidelines to take effect and to allow for additional time for counsel to prepare a sentencing submission on Mr. Oberholzer's behalf. The government has indicated that they take no position on this request for an adjournment.

Hon. Andrew L. Carter

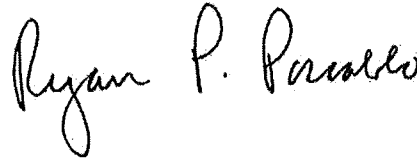
Page 2 of 2

October 11, 2023

We thank the Court for its consideration in this matter.

The application is granted.
The sentencing is adjourned to
1-16-24 at 2:00 p.m.

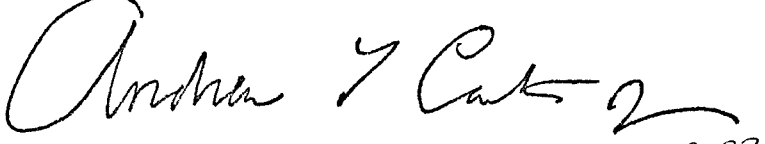
Respectfully submitted,



Ryan P. Poscablo, Esq.

cc: Jilan J. Kamal, Esq., Assistant United States Attorney (by ECF)
Domonique Jackson, Pretrial Services (by email)

So Ordered:



Hon. Andrew L. Carter, Jr.

10-12-23